

REMARKS

In response to the Office Action of August 26, 2005 the Examiner is asked to consider the following Remarks and amend the application in accordance with the above set forth amendments. As a preface and general over view, the Examiner is again asked to consider that the claims, as are presently pending, relate to the removal of stains on textiles.

Further as to the claims, the Examiner is asked to note that regardless of paragraph 1 page 2 of the Office Action there are 11 claims pending.

The Examiner continued objection to the use of the trademark/trade name AVENAL S-74, in accordance with 35 USC 112, has been noted and obviated by the removal of the term from claim 11 and the substitution of the chemical formula for AVENAL S-74. With this Amendment claim 11 is thought to be in condition for allowance.

On pages 2 and 3 of the Office Action the Examiner objects to use of the terms “an effective period of time, an effective amount of a wetting agent and an effective amount of a sodium or potassium salt.” The use of the term “effective” brings the element of human judgment and common sense into the claims. It is submitted that the inclusion of this judgment into the claims is proper under contemporary U.S. chemical practice. In this regard the Examiner is referred to the use of the term “effective” in the claims of US Patents Nos. 6,296,841, 6,743,420, 6,667,030, 6,386,145, 6,616,892, 6,749,804 etc., it is

submitted that these patents demonstrate that the use of the term “effective amount” is acceptable and proper under contemporary U.S. chemical practice.

Further, it is submitted that the use of the term effective is proper in accordance with simple common sense. As to the term “an effective period of time” every housewife knows that in washing, clothing must be allowed to soak in order to give bleach time to work. This soaking is “an effective period of time.”

As to the term “an effective amount of a wetting agent” again common sense dictates and every housewife knows that in washing clothing you only use a little detergent which constitutes an “effective amount”.

Lastly, as to the term “an effective amount of a sodium or potassium salt, every cook knows that in seasoning food you only use a little sodium chloride in seasoning food. This small amount of sodium chloride amounts to an “effective amount of a sodium salt”.

For these reasons it is felt that the Examiners objection to the use of the term “effective” in describing certain claimed parameters has been obviated. Accordingly, it is requested that the Examiner objections to claims 1,3,4 and 5 as based on use of the term “effective” be withdrawn.

Lastly, as to the set forth parameters it is submitted that the application as filed does set forth, metes and bounds for these parameters.

Continuing on to the use of the term “effective amount” the Examiner at paragraph 3 page 3 of the Office Action asks “what are the other components effective for this regard the Examiner is advised that the wetting agent decreases the surface tension, thereby allowing the Chloramine-T to better function as a bleaching agent.

Further as to the Examiner inquiry as to what the sodium and potassium salts do the Examiner is referred to the last paragraph page 8 of the specification where it is stated that these sodium and potassium salts enhance the action in the stain removal.

The Office Action on Page 3 further raises the question of whether the wetting agent of canceled claim 11 is properly defined as an anionic wetting agent and whether the make up of AVENAL S-74 has been properly defined. These points are now moot, as claim 11 has been canceled and rewritten as independent claim 12. In accordance with this amendment the wetting agent is no longer defined as being anionic.

It is felt that this rewriting of claim 12 makes the points on Page 3 of the Office Action, moot and further the question of the dependency of claim 11 is moot as rewritten claim 12 is an independent claim.

On page 4 of the Office Action the Examiner objects to the fact that there is no specific antecedent basis for the specific composition claimed in claim 10. The Examiner objections in this regard has been obviated by the above set forth amendment to page 9 of the specification where the specific composition of claim 10 is added to the specification.

Turning to the rejections under 35 USC 103 starting on page 4 of the Office Action the Examiner is asked to note the following.

As to the rejections of claims 1-9 under 35 USC 103(a) as being unpatentable over U.S. Patents 4,594,175 and 4,711,738, the Examiner is thanked for the withdrawal of said rejections.

As to the continued rejection of claims 1-11 under 35 USC 103(a), as being unpatentable over Ahmed .027 the Examiner is asked to note the following comments.

All of the presently pending claims relate to stain removal on a porous textile surface. The cited Ahmed references does not disclose stain removal on a porous textile surface. Instead this reference only relates to cleaning and stain removal on non porous surfaces i.e. tableware.

In this regard the Examiner is asked to consider that the Abstract of Ahmed '027 only relates to a dishwashing detergent composition and the claims only relate to a stabilized bleach for use on glassware. Further the specification of Ahmed '027 only relates to a stabilized bleach for use in automatic dishwasher. The whole thrust of specification relates to stabilizing liquid dishwashing compositions.

Further, the Objects of Ahmed '027 only relate to "aqueous liquid automatic dishwater detergent compositions."

As to the invention of the subject application this invention, as claimed, only relates to the use for Chloramine -T in the bleaching of textiles. In contrast to this specific claimed use of Chloramine-T, the disclosure of Ahmed '037 only states that Chloramine-T is a useful "hypochlorite liberating agent".

It is submitted that the Examiner must consider this minimal shotgun disclosure in light of the overall teaching of Ahmed '037 which relates solely to dishwashing compositions, and in particular to stabilizing dishwashing compositions.

Again the Examiner is asked to consider that Ahmed '037 does not disclose the use of Chloramine-T as a bleaching or stain removal agent for textiles. The closest reference to textiles in the disclosure of Ahmed '037, is a statement that Chloramine-T is a "useful hypochlorite liberating agent."

Considering the above set forth shortcomings of Ahmed '037 it is requested that the rejection under 35 USC 103 be withdrawn.

The double patenting rejection as per page 6 of the Office Action has been obviated by the cancellation of claim 5 again the Examiner is asked to consider that the cited Ahmed reference is limited to stain removal on non porous surfaces, hence the cited Ahmed reference is not a bar to the issuance of the pending claims, all of which relate to stain removal on a textile.

For the above set forth reasons it is respectfully requested that the various rejections be withdrawn and that the case be passed to issue.

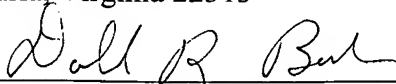
If the Examiner has further comments or suggestions she is respectfully asked to call the applicant's counsel at (813) 962-0817.

Respectfully submitted,



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I hereby certify that this amendment is being
Deposited with the United States Postal Service
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Date of Signature